

APPENDIX A**Patent L.R. 4-3(b) – Each Party’s Proposed Construction of Each Disputed Term**

<u>No</u>	<u>Disputed Claim Term</u>	<u>SynKloud’s Proposed Construction</u>	<u>Support for SynKloud’s Proposed Construction</u>	<u>Defendant’s Proposed Construction</u>	<u>Support for Defendant’s Proposed Construction</u>
1	<p>“a server”</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 2, 11</p> <p>8,856,195, claim 15</p> <p>8,868,690 claims 1, 10, 16</p> <p>9,219,780 claim 9</p> <p>9,239,686 claims 1, 12</p>	<p>“one or more servers”</p>	<p><u>Intrinsic Evidence</u> Claims, Figs. 2-4 and corresponding descriptions in the specification. ’880 Patent at 3:41-51; 3:24-33;</p> <p><u>Extrinsic Evidence</u> SYNKLOUD-TXWD527-002764-2768; 2770; 2772-2774 Dictionary definitions of “server” including concept of server clusters Zaydoon Jawadi’s or Stan McClellan’s opinion on Plaintiff and Defendant constructions.</p>	<p>“one server”</p>	<p><u>Intrinsic Evidence</u></p> <p><u>’880 Patent:</u>¹ 1:13-14, 3:63-67, 6:30-31, 7:24-25, Figs.² 1, 2, 3</p> <p><u>Prosecution History:</u> File History of ‘880 Patent at 2011-09-23 Applicant Arguments/Remarks, Page 7</p> <p><u>Extrinsic Evidence</u> Percipient witness testimony: Tsao Dep. at 38:16-39:07</p>

¹ The asserted patents are related and based on essentially the same specification. For purposes of this chart, Adobe will cite to the specification of one patent and those citations would include the corresponding passages in each of the asserted patents.

² Where this chart identifies a patent figure as intrinsic support for Defendant’s proposed construction, the intrinsic support for Defendant’s proposed construction includes the text from the specification describing or explaining that figure. Where the chart identifies text from the specification describing or explaining a figure as intrinsic support for Defendant’s proposed construction, the intrinsic support for Defendant’s proposed construction includes the figure itself.

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			Inventor witness Tsao Dep. rebuttal cites or declaration.		
2	<p>“wireless device”</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 2, 7, 8, 10, 11, 12, 13, 14, 16, 17</p> <p>8,856,195, claims 15, 16, 17, 18, 19, 20</p> <p>8.868,690 claims 1, 2, 4, 5, 6, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20</p> <p>9,219,780 claims 9, 10, 11, 12, 13, 14</p> <p>9,239,686 claims 1, 2, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, 20</p>	Plain and ordinary meaning including a laptop or desktop with wireless connectivity.	<p><u>Intrinsic Evidence</u></p> <p>’880 Patent at 2:23-26; 3:38-40;</p> <p>Patents in suit Figs. 2-3 and corresponding descriptions in the specification;</p> <p>’780 Patent and ’686 Patent at 1:29-32;</p> <p>File History 14/150,106 at p. 126 for US Patent No. 9,098,526 (not asserted in these actions);</p> <p>IPR2020-00316, Paper 21 at p. 8 (June 29, 2020)</p> <p><u>Extrinsic Evidence</u></p> <p>SYNKLOUD-TXWD527-002764-2768; 2771</p> <p>Dictionary definitions of “wireless”</p> <p>Madan Tr. at 49:12-50:11</p> <p>Zaydoon Jawadi’s or Stan McClellan’s opinion on Plaintiff and Defendant</p>	“cell phone, personal assistant device (PDA) or similar devices not including a laptop, desktop, or server computer”	<p><u>Intrinsic Evidence</u></p> <p><u>’880 Patent:</u> 2:23-42, Figs. 1, 2, 3, 4</p> <p><u>Prosecution History:</u> File History of ’880 Patent at 2011-04-18 Applicant Argument/Remarks, Page 5; IPR2020-00316, Paper 7 (Patent Owner Preliminary Response), Pages 5, 16; IPR2019-1655, Paper 42 (Final Written Decision for ’526 Patent), Page 16</p> <p><u>Extrinsic Evidence</u></p> <p>Percipient witness testimony: Tsao Dep. at 49:14-50:02</p>

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			<p>constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>		
3	<p>“allocating [...] a storage space of a predefined capacity”</p> <p>“allocate [...] a storage space of a predefined capacity”</p> <p>“allocating [...] a first one of the storage spaces of a predefined capacity”</p> <p>“allocate exclusively a second one of the storage spaces of a predefined capacity”</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 2, 11</p> <p>8,856,195, claim 15</p> <p>“configured with a storage space of a</p>	<p>[reserving/reserve] [...] a [first one of the] storage space[s] of a capacity defined in advance</p> <p>reserve exclusively a second one of the storage spaces of a capacity defined in advance</p> <p>organized a storage space of a capacity defined in advance</p>	<p><u>Intrinsic Evidence</u></p> <p>'880 Patent at 4:17-23; 5:50-57.</p> <p>IPR 2019-01655 POPR at 17, 28-29;</p> <p><u>Extrinsic Evidence</u></p> <p>SYNKLOUD-TXWD527-002764-2769; 2775-2788</p> <p>Dictionary definition of “allocate”</p> <p>Dictionary definitions of “configure”</p> <p>Zaydoon Jawadi's or Stan McClellan's opinion on Plaintiff and Defendant constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>	<p>“allocate, not simply reserve, a defined maximum amount of storage space”</p>	<p><u>Intrinsic Evidence</u></p> <p><u>'880 Patent:</u> 1:23-36, 2:33-40, 3:24-33, 3:63-4:04, 4:05-23, 4:24-4:30, Fig. 2</p> <p><u>Prosecution History:</u> File History of '880 Patent at Transmittal of New Application, Page 8; IPR2019-01655, Paper 9 (Patent Owner Preliminary Response), Pages 17, 27-28, 40; IPR2020-00316, Paper 7 (Patent Owner Preliminary Response), Page 9, 33-37; IPR2020-01393, Paper 7 (Patent Owner Preliminary Response for '686 Patent), Pages 15, 27-28; IPR2019-1655, Paper 32 (PO Sur Reply for '526 Patent), Pages 3, 12; IPR2020-00316, Paper 8 (Patent Owner Preliminary Response for '526 Patent), Page 9; IPR2019-01655, Paper 9 (Patent Owner Preliminary</p>

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	<p>predefined capacity allocated”</p> <p>Claim term recited in US Patent Nos: 8,868,690 claims 1, 9, 10, 14, 16</p> <p>9,239,686 claims 1, 12</p>				<p>Response), Page 27-29</p> <p><u>Extrinsic Evidence</u></p> <p>McGraw-Hill Dictionary of Computing and Communications (6th ed. 2003) at 8 (definition of “allocate”)</p> <p>Allocate – To place a portion of a computer memory or a peripheral unit under control of a computer program, through the action of an operator, program instruction, or executive program</p> <p>Microsoft Computer Dictionary (5th ed. 2002) at 84 (definition of “capacity”)</p> <p>Capacity – [t]he amount of information a computer or an attached device can process or store.</p> <p>www.dictionary.com (definition of “capacity”)</p> <p>Capacity – The maximum amount that can be received or contained</p> <p>www.yourdictionary.com (definition of “capacity”)</p> <p>Capacity – Filling a space with</p>

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					<p>the most it can hold</p> <p>www.merriam-webster.com (definition of “capacity”)</p> <p>Capacity – The maximum amount or number that can be contained or accommodated</p> <p>Percipient witness testimony: Tsao Dep. at 72:03-73:19.</p> <p>Summary of Expert Testimony: Adobe may also offer expert testimony for this term. Adobe’s expert, Dr. Jon Weissman, is expected to discuss why Adobe’s construction is consistent with how one of ordinary skill in the art would understand the term in the context of the intrinsic evidence either in support of Adobe’s proposed construction, or in response to any expert testimony SynKloud may submit, or both.</p>
4	“partition a storage device for creating the storage space	Divide storage on a storage device for creating the storage	<u>Intrinsic Evidence</u> '880 Patent at Abstract, 1:38-46; 2:33-37; 3:24-33; 3:62-	“divide the storage device into separate spaces of	<u>Intrinsic Evidence</u> <u>'880 Patent:</u> Abstract, 1:40-46,

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	<p>according to the predefined capacity for a user of one of the wireless devices”</p> <p>Claim term recited in US Patent No: 8,606,880 claims 10, 12</p> <p>“partition the at least one storage device for allocating the storage space to the wireless device”</p> <p>Claim term recited in US Patent No: 8.868,690 claim 9</p>	<p>space according to a capacity defined in advance for a user of one of the wireless devices</p> <p>Divide storage on at least one storage device</p>	<p>4:23; 5:50-57 Figs. 2-3;</p> <p><u>Extrinsic Evidence</u> SYNKLOUD-TXWD527-002764-2769; 2775-2788 Zaydoon Jawadi's or Stan McClellan's opinion on Plaintiff and Defendant constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>	<p>predefined capacity”</p>	<p>2:33-50, 3:63-4:04, 4:05-23, 2:23-32, Fig. 2, 10C, 10D</p> <p><u>Prosecution History:</u> IPR2019-1655, Paper 42 (Final Written Decision for '526 Patent), Pages 3, 11</p> <p><u>Extrinsic Evidence</u> Webster's New World Dictionary of Computer Terms (7th ed. 1999) at 394 (definition of “partition”) Partition – a section of the storage area of a hard disk created for organizational purposes or to separate different operating systems. A partition is created during initial preparation of the hard disk, before the disk is formatted\ IBM Dictionary of Computing (1994) at 500 (definition of “partition”) Partition – a fixed-size division of storage Newton's Telecom Dictionary (15th ed. 1999) at 586 (definition</p>

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					<p>of “partition”)</p> <p>Partition – As a web, partition means to divide a network into independent segments or to divide a disk or tape drive into independent volumes</p> <p>Percipient witness testimony: Tsao Dep. at 43:14-45:02, 45:03-24, 72:03-73:19.</p> <p>Summary of Expert Testimony: Adobe may also offer expert testimony for this term. Adobe's expert, Dr. Jon Weissman, is expected to discuss why Adobe's construction is consistent with how one of ordinary skill in the art would understand the term in the context of the intrinsic evidence either in support of Adobe's proposed construction, or in response to any expert testimony SynKloud may submit, or both.</p>
5	“the storing of a data object including to download a file from	Plain and ordinary meaning	<p><u>Intrinsic Evidence</u></p> <p>Patents in suit at Figs. 1, 3 and specification description</p>	“the storing must include downloading a file directly from a	<p><u>Intrinsic Evidence</u></p> <p><u>'880 Patent:</u> 3:41-51, 5:03-04, 5:05-35, Fig. 3; '686 Patent at</p>

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	<p>a remote server into the first one of the storage spaces”</p> <p>“the storing of said data including to download a file from a remote server across a network into the first one of the storage spaces”</p> <p>“storing data includes to download a file from a remote server across a network into the first one of the storage spaces”</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 2, 11</p> <p>8,856,195, claim 15</p> <p>8.868,690 claims 1, 10, 16</p> <p>9,219,780 claim 9</p>		<p>of the same; 2:65-3:7;3:26-29; 5:5-35, 7:20-24;</p> <p>Supplemental Amendment and remarks files August 6, 2013 in the File History of US 8,606,880 that began as application 10/726,897;</p> <p>Applicant Remarks in the '254 File History filed December 14, 2017</p> <p>IPR2020-01031, POPR: 1, 10-11</p> <p>IPR2020-01032, POPR: 1, 9-10</p> <p>IPR2020-01031, POR: 10-11</p> <p>IPR2020-01032, POR: 9-10</p> <p>IPR2020-01271: Petition, p. 10;</p> <p><u>Extrinsic Evidence</u> Zaydoon Jawadi's or Stan McClellan's opinion on Plaintiff and Defendant constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>	<p>remote server through the network into the first one of the storage spaces without going through the wireless device”</p>	<p>5:26-28; '254 Patent at 5:16-47</p> <p><u>Prosecution History:</u> File History of '880 Patent at 2003-12-04 Abstract, Specification, Claims; File History of '254 Patent at 2017-12-14 Applicant Remarks, Pages 2, 4, 5, 6, 7; IPR2020-01269, Paper 8 (Patent Owner Preliminary Response for '780 Patent), Pages 10-11; IPR2020-01031, Paper 19 (Patent Owner Preliminary Response for '254 Patent), Page 9; IPR2019-01655, Paper 9 (Patent Owner Preliminary Response for '526 Patent), Page 3</p> <p><u>Extrinsic Evidence</u> Percipient witness testimony: Tsao Dep. at 38:16-39:07, 40:01-21, 76:03-14, 134:25 – 135:20, 137:24-138:13</p> <p>Summary of Expert Testimony: Adobe may also offer expert testimony for this term. Adobe's expert, Dr. Jon Weissman, is expected to discuss why Adobe's construction is consistent with</p>

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	9,239,686 claims 1, 13				how one of ordinary skill in the art would understand the term in the context of the intrinsic evidence either in support of Adobe's proposed construction, or in response to any expert testimony SynKloud may submit, or both.
6	<p>"service provider"</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 10, 12</p> <p>8.868,690 claim 9</p>	Plain and ordinary meaning	<p><u>Intrinsic Evidence</u> '880 Patent at 1:53-55; '690 Patent at 1:57:59;</p> <p><u>Extrinsic Evidence</u> Zaydoon Jawadi's or Stan McClellan's opinion on Plaintiff and Defendant constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>	provider of the remote storage service	<p><u>Intrinsic Evidence</u> '880 Patent: 1:54-55, 3:24-28; 4:10-15, Claim 6 at 6:62-67, Claim 10 at 7:10-15, Claim 12 at 8:07-12; Claim 13 of '195 Patent at 7:20-24</p> <p><u>Extrinsic Evidence</u> Percipient witness testimony: Tsao Dep. at 74:10 – 75:13</p>
7	<p>"download[ing] information"</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 2, 11</p> <p>8,856,195, claim 20</p>	Plain and ordinary meaning	<p><u>Intrinsic Evidence</u> '880 Patent at Figs. 1, 3 and specification description of the same; 2:65-3:7;3:26-29; 5:5-35; 7:20-24; Supplemental Amendment and remarks files August 6, 2013 in the File History of US 8,606,880 that began as</p>	information used to download a file; not the file itself	<p><u>Intrinsic Evidence</u> '880 Patent: 5:05-35; Claim 9 of '780 Patent at 7:22-36; Claim 19 of '780 Patent at 8:47-50; Claim 11 of '686 Patent at 7:14-17; Claim 19 of '686 Patent at 8:32-35; Claim 3 of '254 Patent at 6:34-37</p>

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	<p>8.868,690 claims 8, 11, 20</p> <p>9,219,780 claims 9, 10</p> <p>9,239,686 claims 1, 2, 11, 12, 13, 14, 19</p>		<p>application 10/726,897; Applicant Remarks in the '254 File History filed December 14, 2017</p> <p>IPR2020-01031, POPR: 1, 10-11</p> <p>IPR2020-01032, POPR: 1, 9-10</p> <p>IPR2020-01031, POR: 10-11</p> <p>IPR2020-01032, POR: 9-10</p> <p>IPR2020-01271: Petition, p. 10</p> <p><u>Extrinsic Evidence</u> Zaydoon Jawadi's or Stan McClellan's opinion on Plaintiff and Defendant constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>		<p><u>Prosecution History:</u> File History of '880 Patent at 2011-04-18 Applicant Argument/Remarks, Page 9; File History of '195 Patent 08-04-2014 at Applicant Summary of Interview with Examiner, Page 2; IPR2020-01393, Paper 7 (Patent Owner Preliminary Response for '686 Patent), Pages 9-10; IPR2020-01269, Paper 8 (Patent Owner Preliminary Response for '780 Patent), Pages 10, 11, 26; IPR2020-01271, Paper 8 (Preliminary Response Final for '686 Patent), Page 28</p> <p><u>Extrinsic Evidence</u> Percipient witness testimony: Tsao Dep. at 151:7-152:25</p>
8	<p>"cached in a cache storage of the first wireless device"</p> <p>"cached in the first wireless device"</p> <p>"cached in the wireless device"</p> <p>"cached in the each</p>	Plain and ordinary meaning	<p><u>Intrinsic Evidence</u> '880 Patent at Figs. 1, 3 and specification description of the same; 2:65-3:7;3:26-29; 5:5-35; 7:20-24; Supplemental Amendment and remarks files August 6, 2013 in the File History of US 8,606,880 that began as</p>	"stored in a location on the wireless device that is more readily accessible than the original source of the information"	<p><u>Intrinsic Evidence</u> <u>'880 Patent:</u> 5:05-35; Claim 13 of '686 Patent at 5:23-33; '254 Patent at 7:19-23, 5:10-19</p> <p><u>Prosecution History:</u> File History of '254 Patent at 2017-</p>

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	<p>of the wireless devices”</p> <p>Claim term recited in US Patent Nos: 8,606,880 claims 2, 11</p> <p>8,856,195 claim 20</p> <p>8.868,690 claims 8, 11, 20</p> <p>9,219,780 claims 9, 10</p> <p>9,239,686 claims 1, 2, 13, 14</p>		<p>application 10/726,897; Applicant Remarks in the ‘254 File History filed December 14, 2017</p> <p>IPR2020-01031, POPR: 1, 10-11</p> <p>IPR2020-01032, POPR: 1, 9-10</p> <p>IPR2020-01031, POR: 10-11</p> <p>IPR2020-01032, POR: 9-10</p> <p>IPR2020-01271: Petition, p. 10</p> <p><u>Extrinsic Evidence</u></p> <p>Zaydoon Jawadi’s or Stan McClellan’s opinion on Plaintiff and Defendant constructions.</p> <p>Inventor witness Tsao Dep. rebuttal cites or declaration.</p>		<p>12-14 Applicant Remarks, Page 7; IPR2020-01235, Paper 12 Decision Granting Institution of Inter Partes Review for '254 Patent) at 9, 10, 11, 12</p> <p><u>Extrinsic Evidence</u></p> <p>Newton’s Telecom Dictionary (15th ed. 1999) at 126 (definition of “cache”)</p> <p>Cache – From the French “cacher” which translates “to press or hide” especially in terms of tools or provisions. In the context of computer systems and networks, information is cached by placing it closer to the user or user application in order to make placing it closer to the user or user application in order to make it more readily and speedily accessible, and transparently so. At the same time, information which is cached places less strain on limited computer I/O (Input/Output) resources and limited network resources. Let’s consider two specific definitions, the first of which relates to</p>

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					<p>computer systems and the second of which relates to computer networks. Let's also consider a combination of the first two, in the context of the internet</p> <p>Microsoft Press Computer Dictionary (3d ed. 1997) at 72 (definition of "cache")</p> <p>Cache – A special memory subsystem in which frequently used data values are duplicated for quick access. A memory cache stores the contents of frequently accessed RAM locations and the addresses where these data items are stored. When the processor references an address in memory, the cache checks to see whether it holds that address. If it does hold the address, the data is returned to the processor; if it does not, a regular memory access occurs. A cache is useful when RAM accesses are slow compared with the microprocessor speed because cache memory is always faster than main RAM memory.</p> <p>Microsoft Computer Dictionary</p>

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					<p>(5th ed. 2002) at 81 (definition of “cache”)</p> <p>Cache – A special memory subsystem in which frequently used data values are duplicated for quick access. A memory cache stores the contents of frequently accessed RAM locations and the addresses where these data items are stored. When the processor references an address in memory, the cache checks to see whether it holds that address. If it does hold the address, the data is returned to the processor; if it does not, a regular memory access occurs. A cache is useful when RAM accesses are slow compared with the microprocessor speed because cache memory is always faster than main RAM memory.</p> <p>New Penguin Dictionary of Computing (2001) at 60-61 (definition of “cache”)</p> <p>Cache – A small region of fast MEMORY interposed between a data processing device and a larger slower memory to hold</p>

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					<p>copies of the most frequently or recently used data so that they may be accessed more quickly. The same principle is at work in a library when someone takes several books they are consulting from the main shelves and places them on their desktop for easier access...</p> <p>Webster's New World Dictionary of Computer Terms (7th ed. 1999) at 79-80 (definition of "cache")</p> <p>Cache – A storage area that keeps frequently accessed data or program instructions readily available so that the computer does not retrieve them repeatedly from slow storage. Caches improve performance by storing data or instructions in faster sections of memory and by using efficient design to increase the likelihood that the data needed next is in the cache.</p> <p>Percipient witness testimony: Tsao Dep. at 84:2-25, 134:25 – 135:25, 176:7-177:13</p>

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					<p>Summary of Expert Testimony: Adobe may also offer expert testimony for this term. Adobe's expert, Dr. Jon Weissman, is expected to discuss why Adobe's construction is consistent with how one of ordinary skill in the art would understand the term in the context of the intrinsic evidence either in support of Adobe's proposed construction, or in response to any expert testimony SynKloud may submit, or both.</p>